REMARKS

1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the amendments and discussion that follows. Claims 1-4, 6-12, 21-25 and 27-33 are pending in this application.

Claims 1-4, 6-12, 21-25 and 27-33 have been rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,665,395 to Busey et al. in view of U.S. Pat. No. 6,832,203 to Villena et al. Claims 13-20 have been rejected under 35 U.S.C. §103(a) as being obvious over Busey et al. After a careful review of the claims (as amended), it has been concluded that the rejections are improper and the rejections are therefore traversed.

2. Claims 1-4, 6-12, 21-25 and 27-33 have been rejected as being obvious over Busey et al. in view of Villena et al. However, the Examiner admits that "Busey does not specifically teach identifying the media type as exclusive or nonexclusive, and permitting no further customer contacts for the duration of said customer contact by said transaction processing entity if said media type is exclusive" (Office Action of 1/13/05, page 3).

In order to overcome this deficiency, the Examiner asserts that:

> "Villena teaches in a contact call center that is capable of matching the best available agent with contacts requiring particular services, an agent is assigned a plurality of skill scores, one for each type of services that the agent can process. If an agent can not do at all any particular skill required for a service, then the agent may not be used for that service at all (see abstract, col. 2, lines 33-37, and col. 4, lines 32-38). Therefore, it would have been obvious to one of ordinary skill in the art . . . to incorporate the feature of assigning a particular agent who has a particular skills to handle a particular service only based on his/her skills . . . That is, the agent will exclusively handle e-mail while other agents may handle voice and email" (Office Action of 1/14/05, pages 3-4).

It may be noted first in this regard that the claims are limited to the method step of (and apparatus for) "identifying a media type as exclusive or nonexclusive". In contrast, the Examiner would apparently, quite literally, identify the agent as being exclusive or nonexclusive based upon the agent's skills. However, this is not the claimed invention.

For example, "As used herein, media type refers to information that describes the customer contact" (specification, page 4). In this regard, "information that describes the customer contact" would be understood to refer to a specific customer contact. It does not refer to contacts, in a general sense, and it certainly does not refer to agent skills or to the agent that handles the customer contact. At best, agent skill is an attribute of the agent and is only indirectly related to the call that would require that skill.

Since Villena et al. refers to identification of an agent, instead of identification of a media type, there would be no reason to modify Busey et al. in the manner suggested by the Examiner. Further, even assuming arguendo that there were a reason to combine Busey et al. and Villena et al. (which there is not), the result would still not work in the same way or provide the same benefits as that of the claimed invention.

For example, (using the Examiner's example) if a person did have a heavy accent and can only accept e-mails, there is still no teaching or suggestion in Villena et al. that the agent could not simultaneously handle a multitude of e-mails. As such, there is no teaching or suggestion in the combination of Busey et al. and Villena et al. of any method step (or apparatus for) "permitting no further customer contacts for the duration of said customer contact by said transaction processing entity if said media type is exclusive".

Since there is no reason to modify Busey et al. in view of Villena et al., the combination fails to teach each and every claim element. Since the combination fails to teach each and every claim element, the rejection is believed to be improper and should be withdrawn.

3. Claims 13-20 have been rejected as being obvious over Busey et al. In response, claim 13 has been further limited to "identifying the media type as exclusive or nonexclusive". Support for identifying the media type as exclusive may be found at page 8 of the specification.

Claim 13 has also been limited to "preparing a transaction routing table of transaction processing entities based on media types and whether the media types are exclusive or nonexclusive". Support for this limitation may be found on page 8 of the specification.

Since claim 13 is now limited to identifying the media type as exclusive or nonexclusive and since the Examiner admits that Busey et al. does not teach identifying the media type as exclusive or nonexclusive, claims 13-20 are now differentiated over Busey et al. In addition, since the combination of Busey et al. and Villena et al. also does not teach of the identification of exclusive or nonexclusive media, claims 13-20 are now clearly differentiated from the prior art. Since claims 13-20 are now differentiated from the prior art, claim 13-20 should be passed to allowance.

4. The remaining dependent claims 2-4, 6-12, 14-20, 22-33 depend on an allowable base claim and include additional, novel subject matter of the invention. Therefore, applicant believes that these claims are also allowable.

5. Allowance of claims 1-33, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,
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February 3, 2005
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